



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

**STATE BOUNDARY COMMISSION**  
**BUREAU OF CONSTRUCTION CODES**

Conference Room 3, First Floor  
2501 Woodlake Circle  
Okemos, MI 48864

**AGENDA**

November 15, 2007  
1:30 p.m.

**1. DOCKET #05-I-1: TUSCOLA COUNTY**

Legal sufficiency of a referendum petition on the proposed incorporation of the Village of Caro as a Home Rule City.

- a. Call to Order and Determination of Quorum.
- b. Opening Statement.
- c. Comments and/or Presentations by Involved Parties.
- d. Public Comment.
- e. Commission Questions/Discussion/Deliberation.
- f. Commission Action.
- g. Adjourn.

**2. DOCKET #05-I-2: HURON COUNTY**

Discussion on the election of charter commissioners for the proposed incorporation of the Village of Caseville as a Home Rule City.

- a. Call to Order and Determination of Quorum.
- b. Opening Statement.
- c. Comments and/or Presentations by Involved Parties.
- d. Public Comment.
- e. Commission Questions/Discussion/Deliberation.
- f. Commission Action.
- g. Adjourn.

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3. **DOCKET #07-I-1: HURON COUNTY**

Legal Sufficiency on the proposed incorporation of the Village of Sebewaing as a Home Rule City.

- a. Call to Order and Determination of Quorum.
- b. Opening Statement.
- c. Comments and/or Presentations by Involved Parties.
- d. Public Comment.
- e. Commission Questions/Discussion/Deliberation.
- f. Commission Action.
- g. Adjourn.

4. **DOCKET #06-AP-3: EATON COUNTY**

Adjudicative session to adopt the Summary of Proceedings, Findings of Fact, and Conclusions of Law on the proposed annexation of certain territory (Dible) in Oneida Township to the City of Grand Ledge.

- a. Call to Order and Determination of Quorum.
- b. Opening Statement.
- c. Comments and/or Presentations by Involved Parties.
- d. Public Comment.
- e. Commission Questions/Discussion/Deliberation.
- f. Commission Action.
- g. Adjourn.

5. **DOCKET #06-AP-2: LAPEER COUNTY**

Adjudicative session to adopt the Summary of Proceedings, Findings of Fact, and Conclusions of Law on the proposed annexation of certain territory in Elba Township to the City of Lapeer.

- a. Call to Order and Determination of Quorum.
- b. Opening Statement.
- c. Comments and/or Presentations by Involved Parties.
- d. Public Comment.
- e. Commission Questions/Discussion/Deliberation.
- f. Commission Action.
- g. Adjourn.

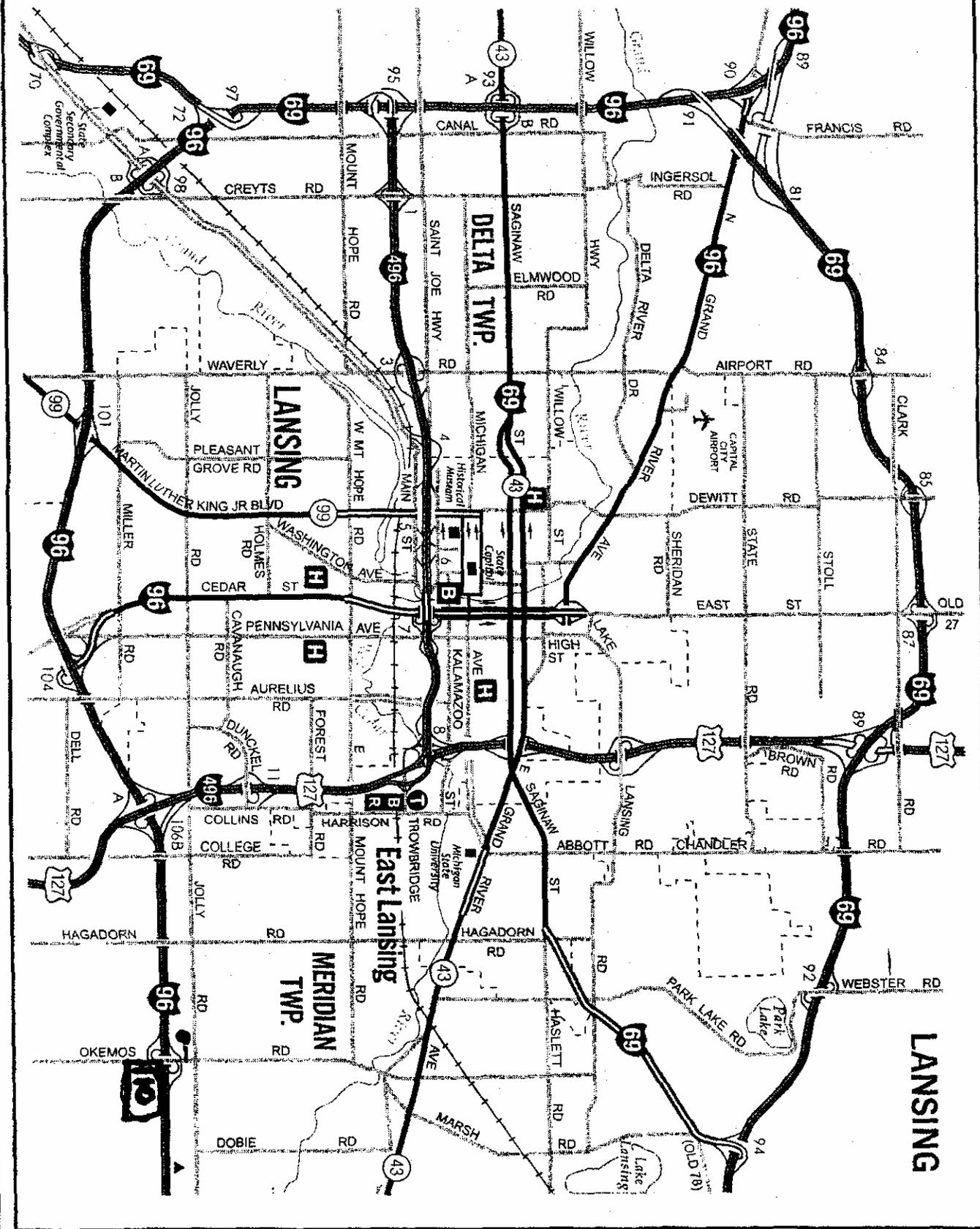
**DOCKET MATERIAL FOR THIS MEETING WILL BE AVAILABLE ON THE WEB  
TEN DAYS PRIOR TO THE MEETING AT:**

- [www.michigan.gov/bcc](http://www.michigan.gov/bcc)
- CLICK "COMMISSIONS/BOARDS" ON LEFT SIDE OF WEB PAGE.
- CLICK "STATE BOUNDARY COMMISSION."
- AGENDA ITEMS ARE LISTED UNDER THIS MEETING DATE.

IF YOU HAVE ANY QUESTIONS ABOUT THIS MEETING,  
PLEASE CALL (517) 241-6321 BEFORE 11:00 AM ON THE DAY OF THE MEETING.

THE COMMISSION MAY REVISE THIS AGENDA OR TAKE UP OTHER PROPERLY NOTICED ITEMS AS NEED AND TIME  
ALLOW. DOCKET ITEMS MAY NOT NECESSARILY BE CONSIDERED IN THE SAME ORDER AS LISTED ON THIS AGENDA.

.....  
Please make sure all cell phones, pagers, and other personal electronic devices are either turned off or set to vibrate. The meeting site is accessible and includes handicapped parking. In order to enhance accessibility for everyone, individuals attending the meeting are encouraged to refrain from using heavily scented personal care products. Persons with disabilities requiring additional accommodation in order to participate should contact the Boundary Commission Office by either telephone (517-241-6321) or email (holmes@chcmichigan.gov) at least ten business days in advance.  
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LANSING

to M-43 & Okemos

Jolly Road



Woodlake Drive

Okemos Rd.

Woodlake Circle

PARKING

PARKING

2501

MDOT Field Offices

MDOT Park & Ride lot

CRACKER BARRIL

APPLEBEE'S

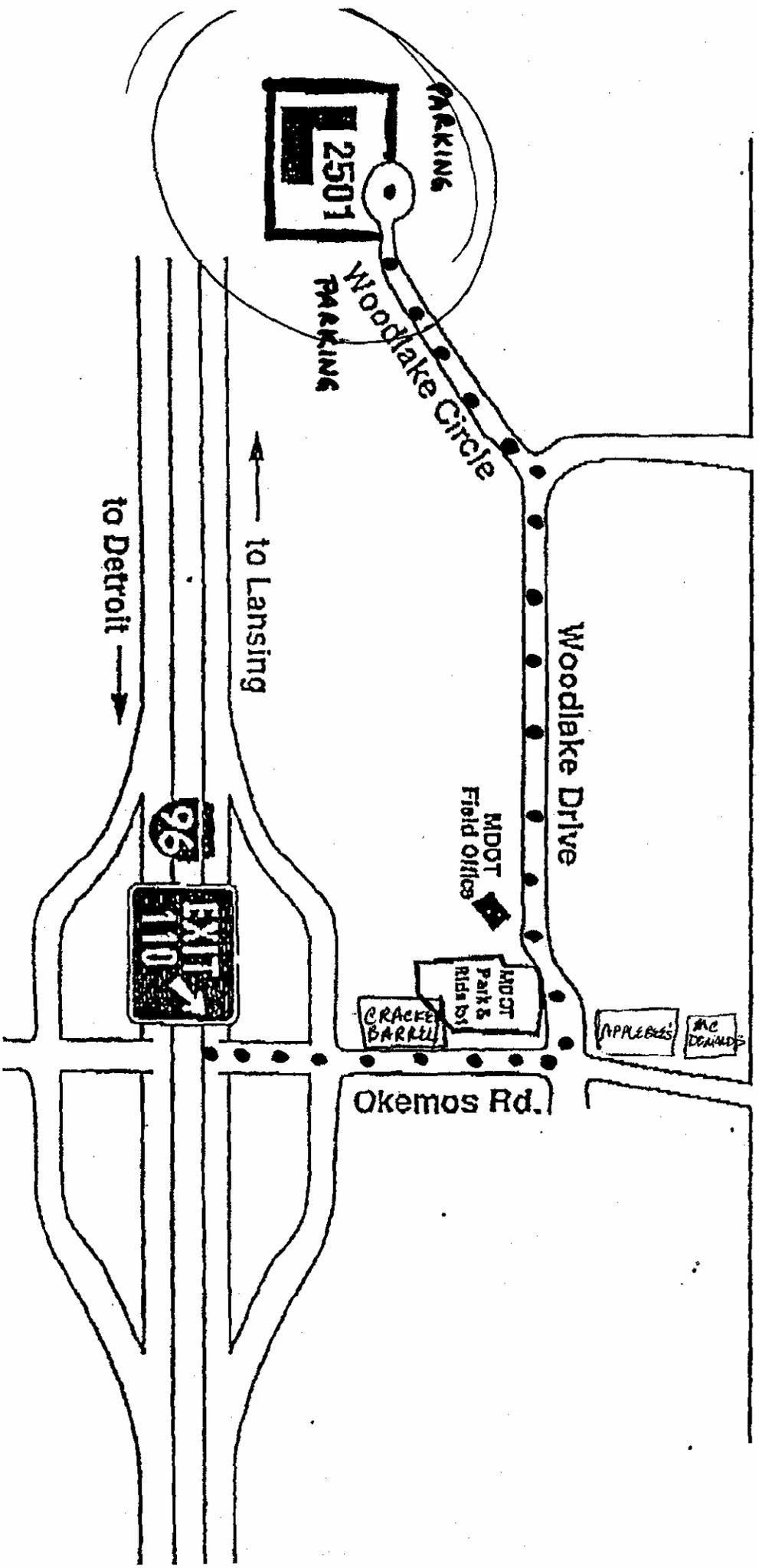
Mc DONALD'S

to Lansing

to Detroit

96

EXIT 110



**STATE OF MICHIGAN**

**DEPARTMENT OF LABOR & ECONOMIC GROWTH**

**STATE BOUNDARY COMMISSION**

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**In the matter of:**

**Boundary Commission  
Docket # 06-AP-2**

**The proposed annexation of territory  
in Elba Township to the City of Lapeer,  
Lapeer County.**

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**SUMMARY OF PROCEEDINGS,  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**SUMMARY OF PROCEEDINGS**

1. On April 3, 2006, a petition designated as Docket #06-AP-2 was filed with the State Boundary Commission requesting the annexation of certain territory in Elba Township to the City of Lapeer, as described in Attachment A.
2. On July 27, 2006, the State Boundary Commission examined the petition for legal sufficiency at an adjudicative meeting held in Lansing. The Commission unanimously voted to approve this petition as legally sufficient. The Commission expanded the area to be considered for annexation.
3. On March 29, 2007, the State Boundary Commission held a public hearing in Lapeer to receive public testimony on the area proposed for annexation, pursuant to Public Act 191 of 1968, as amended.
4. On September 20, 2007, at an adjudicative meeting, State Boundary Commissioners VerBurg and Priebe, and Local Commissioner Collom, voted to recommend that the Director of the Department of Labor & Economic Growth sign an Order to approve the annexation as petitioned and expanded, and also requested Commission staff to prepare a draft Findings of Fact and Order prior to final action. State Commissioner Jamnick and Local Commissioner Lupo voted against recommending annexation of both the petitioned and the expanded areas. The territory proposed for annexation as approved by a majority vote of the Commission is described in Attachment B.

5. On November 15, 2007, at an adjudicative meeting, the Boundary Commission voted \_\_\_\_\_ to adopt this Summary of Proceedings, Findings of Fact and Conclusions of Law, and requested Commission staff to transmit the Order to the Director of the Department of Labor & Economic Growth for signature.

### **INFORMATION FROM THE RECORD**

1. The petitioned area is comprised of approximately 60.168 acres. Faith Christian Church owns and is located on a 10 acre parcel, and Messrs. Whitman and Harrington own a 50.168 acre parcel that is vacant.
2. The expanded area is comprised of approximately 25 acres, with a population of approximately 30.
3. The petitioners want access to municipal services that are not available from Elba Township.
4. Efforts between the City and the Township to negotiate a Public Act 425 Conditional Land Transfer Agreement prior to the petition being filed with the Commission were unsuccessful.
5. When Messrs. Whitman and Harrington purchased the vacant parcel 30 years ago, they were of the belief that Elba Township would eventually provide sewer to their property.
6. Sale of the vacant parcel to a purchaser who has made the first offer in decades is contingent upon annexation and availability of water and sewer.
7. Existing soil conditions are poor and much of the vacant property is wetland, thereby making a lagoon system or onsite sewage disposal facility impractical and cost-prohibitive.
8. When the Church purchased their property, the ability for facility expansion and public water for fire suppression were considerations. At that time, they were led to believe that the City and Elba Township would likely enter into a shared revenue agreement that would eventually provide city services to their property. Now that the Church is in need of expanding its facilities, no agreement is available which would provide them with city water.
9. The Church cannot expand its facilities without public water for the fire suppression (automatic sprinkler system), and they presently incur higher insurance costs associated with not having access to a larger fire department.
10. For the Township to provide water to the Church property from the Lake Nepessing plant or any other distant point would be cost-prohibitive to the property owner.
11. A City water main is located approximately 1,000 feet from the petitioned property. A sanitary sewer connection is located approximately 400 feet from the petitioned property.

12. In a 1986 425 Conditional Land Transfer Agreement executed between the City of Lapeer and Elba Township, the City agreed to make sewer service available to areas of Elba Township based on available capacity. A provision in this agreement limits the area in which excess sewer capacity can be extended by the City. The petitioned territory is not included in the area specified by the agreement.
13. Township property owners pay 1.5 times what city property owners pay for water and sewer service.
14. Elba Township property owners in the expanded area who are connected to city sewer and water pay full property taxes to both the City of Lapeer and Elba Township.
15. Township property owners in the expanded area with City utilities have chosen to pay an 'in lieu of taxes' charge for their utilities that is equal to the City property tax. Annexation would reduce their taxes significantly.
16. The City recently adopted a policy and wrote a notification letter to Elba island property owners that if they are annexed to the City and currently utilize a functioning septic system or water well, they will not be required to connect with city utilities until their well or septic system fails or is abandoned by owner, and then only if the utility is within 150 feet of their home. Some of the island properties are already connected to city sewer, and only one is connected to city water. The Commission requested commitment from the City that they would not later reverse this water and sewer connection policy for Elba Township property owners who are located in the expanded area approved for annexation.
17. City police and fire stations are located in a significantly closer proximity to the petitioned property than what the Township fire station is located. The fire underwriters rating for the City is three points lower than the rating for the Township.
18. The township property tax on the vacant 50-acre parcel is currently \$135. The church property is tax-exempt.
19. Annexation of the petitioned area will square off the city boundary, provide a better opportunity for the church to expand community services, provide the opportunity to develop vacant land, and provide the opportunity for additional tax base to the city, county, and schools.
20. The City submitted information to the Commission that 50 percent of the Township property owners in the expanded island support being annexed to the City.
21. The City supports the annexation of both the petitioned and the expanded areas, and will provide services to these areas if annexed.

**FINDINGS OF FACT**

1. Population, population density, land area, land uses, assessed valuations, topography, and natural boundaries and drainage basins do not preclude the area described in Attachment B from being annexed to the City of Lapeer.
2. Comparative data from the City of Lapeer and Elba Township do not preclude the area described in Attachment B from being annexed to the City.
3. The probable effect of the subject annexation on the cost and adequacy of governmental services, and the practicability of supplying such services in the area approved for annexation and on the remaining portion of the Township, do not preclude the subject area from being annexed to the City.
4. Elba Township is unable to provide public water or sewer service to the petitioned territory and the expanded area.
5. The City of Lapeer has the ability and the capacity to provide the public water and sanitary sewer service to the area approved for annexation as described in Attachment B.
6. The City of Lapeer adopted a policy that does not immediately condition a connection with City sewer and water systems to the property owners in the expanded area if annexed.
7. The petitioners had no recourse but to petition the State Boundary Commission for annexation to the City of Lapeer because of the inability of the City and Township to achieve mutual cooperation for providing the needed services.
8. The Commission is granted authority under statute and case law to revise or expand an area for annexation, to eliminate free-standing islands, and to straighten or align the exterior boundaries of a city in a manner that the township and city contain uniform straight boundaries wherever possible.
9. Annexation of the expanded area will align and eliminate a free-standing island of the Township that would be created by the annexation of the petitioned area.
10. Annexation of the area described in Attachment B will not have a deleterious effect upon the subject territory or the broader community.

**CONCLUSIONS OF LAW**

1. The consideration of the criteria stipulated under Section 9 of the Public Act 191 of 1968, as amended, and the testimony and information contained within the record of this docket, support the majority decision of the Boundary Commission to recommend that the Director of the Department of Labor & Economic Growth sign the attached Order to approve the subject annexation.

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Kenneth VerBurg, Chairman

November 15, 2007

**STATE OF MICHIGAN**  
**DEPARTMENT OF LABOR & ECONOMIC GROWTH**  
**STATE BOUNDARY COMMISSION**

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**In the matter of:**

**Boundary Commission**  
**Docket # 06-AP-2**

**The proposed annexation of territory  
in Elba Township to the City of Lapeer,  
Lapeer County.**

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**ORDER**

**IT IS ORDERED THAT** the territory described in Attachment B in Elba Township, Lapeer County, be annexed to the City of Lapeer.

**IT IS ORDERED THAT** the Summary of Proceedings, Findings of Fact and Conclusions of Law, and Order approving the annexation of territory in Elba Township to the City of Lapeer, described in Attachment B, shall be effective on the date signed below by the Director of the Department of Labor & Economic Growth.

**IT IS FURTHER ORDERED THAT** in compliance with MCL 117.9(4), the State Boundary Commission shall transmit a copy of this Order and the attached Summary of Proceedings, Findings of Fact and Conclusions of Law to the clerks of the City of Lapeer, the Township of Elba, and the County of Lapeer, and to the Secretary of State.

**IT IS FURTHER ORDERED THAT** in compliance with MCL 117.9(12), the State Boundary Commission shall also transmit a copy of this Order and the attached Summary of Proceedings, Findings of Fact and Conclusions of Law to the property owners located in the area proposed for annexation, and also to each property owner located within 300 feet of the area proposed for annexation.

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Keith W. Cooley, Director  
Michigan Department of Labor & Economic Growth

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Date

# Attachment A

Part of the Southwest  $\frac{1}{2}$  of Section 1, T7N-R9E, Elba Township, Lapeer County, Michigan, described as beginning at a point on the West line of Section 1 that is North  $00^{\circ} 54' 40''$  East 528.0 feet from the Southwest corner of Section 1; thence North  $89^{\circ} 49' 40''$  East 178.0 feet; thence North  $83^{\circ} 01' 29''$  East 264.0 feet; thence North  $61^{\circ} 28' 54''$  East 100.0 feet; thence South  $28^{\circ} 31' 06''$  East 150.0 feet to the centerline of Davison Road (M-21); thence North  $61^{\circ} 28' 54''$  East 556.65 feet along said centerline; thence North  $28^{\circ} 31' 06''$  West 232.58 feet along the West line of "Smith Acres," as recorded in Liber 1, Page 59 of Lapeer County Plat Records; thence North  $61^{\circ} 28' 54''$  East 398.07 feet along the North line of said plat to the Northeast corner of said plat; thence North  $01^{\circ} 08' 52''$  East 1534.75 feet along an existing fence; thence South  $88^{\circ} 56' 43''$  West 1323.37 feet along the existing East-West  $\frac{1}{2}$  line fence to the West  $\frac{1}{2}$  corner of Section 1; thence along the West section line as occupied South  $00^{\circ} 59' 25''$  West 1640.27 feet; thence South  $00^{\circ} 47' 18''$  West 467.02 feet to the Southeast corner of Lot 9 of "Sterling Gardens No. 1," as recorded in Liber 2, Page 17 of Lapeer County Plat Records; thence South  $00^{\circ} 54' 40''$  West 11.80 feet to the point of beginning. Contains 60.168 acres including that part reserved for Davison Road so-called.



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

#06-AP-2  
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# Attachment B

All of the following land in T7N, R9E, Elba Township, Lapeer County, Michigan described as:

Part of the northeast 1/4, southeast 1/4 and southwest 1/4 of section 1 described as: commencing at the southwest corner of said section 1; thence northerly along the west line of said section, 528.00 feet to the point of beginning; thence continuing northerly along said west line, 2119.09 feet to the west 1/4 corner of said section and the City of Lapeer limits as filed on July 28, 1967 with the Secretary of State; thence along the City of Lapeer limits the following thirteen calls: (1) N89°00'30"E along the east-west 1/4 line, 1321.81 feet; (2) S01°03'00"W, 1733.13 feet; (3) N61°28'30"E, 1516.87 feet; (4) N00°52'00"E along the west line of Essex Subdivision recorded in Liber 1 of Plats, Page 58, 275.46 feet; (5) N61°29'00"E along the northwesterly line of said plat, 1839.12 feet; (6) S89°18'00"E along the north line of said plat, 119.06 feet; (7) S01°07'00"W along the east line of said plat and the west line of Essex Subdivision No.1 recorded in Liber 1 of Plats, Page 63, 55.88 feet; (8) S89°57'50"E along the north line of Essex Subdivision No.1 and the east-west 1/4 line, 116.00 feet; (9) N01°07'00"E, 606.83 feet; (10) N89°23'00"E, 552.15 feet; (11) N01°02'00"E, 1018.06 feet; (12) N89°31'30"E, 243.69 feet to the east line of said section and a point S01°07'00"W, 740.82 feet from the northeast corner of said section; (13) southerly along said east line to its intersection with the centerline of the Davison/Genesee Road (abandoned highway M-21); thence southwesterly along said centerline to a point that is N89°49'40"E, 178.00 feet, N83°01'29"E, 264.00 feet, N61°28'54"E, 100.00 feet and S28°31'06"E, 150.00 feet from the point of beginning; thence N28°31'06"W, 150.00 feet; thence S61°28'54"W, 100.00 feet; thence S83°01'29"W, 264.00 feet; thence S89°49'40"W, 178.00 feet to the point of beginning.

The land described above includes the following subdivisions:

Essex Subdivision, lots 1-24

Essex Subdivision No.1, lots 25-33

Oak Acres, lots 1-16

Smith Acres, lots 1-4

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**STATE OF MICHIGAN**  
**DEPARTMENT OF LABOR & ECONOMIC GROWTH**  
**STATE BOUNDARY COMMISSION**

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**In the matter of:**

**Boundary Commission**  
**Docket # 06-AP-2**

**The proposed annexation of territory  
in Elba Township to the City of Lapeer,  
Lapeer County.**

---

**SUMMARY OF PROCEEDINGS,  
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

**SUMMARY OF PROCEEDINGS**

1. On April 3, 2006, a petition designated as Docket #06-AP-2 was filed with the State Boundary Commission requesting the annexation of certain territory in Elba Township to the City of Lapeer, as described in Attachment A.
2. On July 27, 2006, the State Boundary Commission examined the petition for legal sufficiency at an adjudicative meeting held in Lansing. The Commission unanimously voted to approve this petition as legally sufficient. The Commission expanded the area to be considered for annexation.
3. On March 29, 2007, the State Boundary Commission held a public hearing in Lapeer to receive public testimony on the area proposed for annexation, pursuant to Public Act 191 of 1968, as amended.
4. On September 20, 2007, at an adjudicative meeting, State Boundary Commissioners VerBurg and Priebe, and Local Commissioner Collom, voted to recommend that the Director of the Department of Labor & Economic Growth sign an order to approve the annexation as petitioned and expanded. State Commissioner Jamnick and Local Commissioner Lupo voted against recommending annexation of both the petitioned and the expanded areas. The territory proposed for annexation as approved by a majority vote of the Commission is described in Attachment B.

5. On November 15, 2007, at an adjudicative meeting, the Boundary Commission voted \_\_\_\_\_ to adopt this Summary of Proceedings, Findings of Fact and Conclusions of Law, and to recommend that the Director of the Department of Labor & Economic Growth sign the attached Order to approve this annexation.

### **FINDINGS OF FACT**

1. The petitioned area is comprised of approximately 60.168 acres. Faith Christian Church owns and is located on a 10 acre parcel, and Messrs. Whitman and Harrington own a 50.168 acre parcel that is vacant.
2. The expanded area is comprised of approximately 25 acres, with a population of approximately 30.
3. The petitioners want access to municipal services that are not available from Elba Township.
4. Efforts between the City and the Township to negotiate a Public Act 425 Conditional Land Transfer Agreement prior to the petition being filed with the Commission were unsuccessful.
5. When Messrs. Whitman and Harrington purchased the vacant parcel 30 years ago, they were of the belief that Elba Township would eventually provide sewer to their property.
6. Sale of the vacant parcel to a purchaser who has made the first offer in decades is contingent upon annexation and availability of water and sewer.
7. Existing soil conditions are poor and much of the vacant property is wetland, thereby making a lagoon system or onsite sewage disposal facility impractical and cost-prohibitive.
8. When the Church purchased their property, the ability for facility expansion and public water for fire suppression were considerations. At that time, they were led to believe that the City and Elba Township would likely enter into a shared revenue agreement that would eventually provide city services to their property. Now that the Church is in need of expanding its facilities, no agreement is available which would provide them with city water.
9. The Church cannot expand its facilities without public water for the fire suppression (automatic sprinkler system), and they presently incur higher insurance costs associated with not having access to a larger fire department.
10. For the Township to provide water to the Church property from the Lake Nepessing plant or any other distant point would be cost-prohibitive to the property owner.
11. A City water main is located approximately 1,000 feet from the petitioned property. A sanitary sewer connection is located approximately 400 feet from the petitioned property.

12. In a 1986 425 Conditional Land Transfer Agreement executed between the City of Lapeer and Elba Township, the City agreed to make sewer service available to areas of Elba Township based on available capacity. A provision in this agreement limits the area in which excess sewer capacity can be extended by the City. The petitioned territory is not included in the area specified by the agreement.
13. Elba Township is unable to provide public water or sewer to the petitioned territory.
14. Township property owners pay 1.5 times what city property owners pay for water and sewer service.
15. Elba Township property owners in the expanded area who are connected to city sewer and water pay full property taxes to both the City of Lapeer and Elba Township.
16. Township property owners in the expanded area with City utilities have chosen to pay an 'in lieu of taxes' charge for their utilities that is equal to the City property tax. Annexation would reduce their taxes significantly.
17. The City recently adopted a policy and wrote a notification letter to Elba island property owners that if they are annexed to the City and currently utilize a functioning septic system or water well, they will not be required to connect with city utilities until their well or septic system fails or is abandoned by owner, and then only if the utility is within 150 feet of their home. Some of the island properties are already connected to city sewer, and only one is connected to city water. The Commission requested commitment from the City that they would not later reverse this water and sewer connection policy for Elba Township property owners who are located in the expanded area approved for annexation.
18. City police and fire stations are located in a significantly closer proximity to the petitioned property than what the Township fire station is located. The fire underwriters rating for the City is three points lower than the rating for the Township.
19. The township property tax on the vacant 50-acre parcel is currently \$135. The church property is tax-exempt.
20. Annexation of the petitioned area will square off the city boundary, provide a better opportunity for the church to expand community services, provide the opportunity to develop vacant land, and provide the opportunity for additional tax base to the city, county, and schools.
21. The City submitted information to the Commission that 50 percent of the Township property owners in the expanded island support being annexed to the City.
22. The City supports the annexation of both the petitioned and the expanded areas, and will provide services to these areas if annexed.

23. The Commission is granted authority under statute and case law to revise or expand an area for annexation, to eliminate free-standing islands, and to straighten or align the exterior boundaries of a city in a manner that the township and city contain uniform straight boundaries wherever possible. Annexation of the expanded area will align and eliminate a free-standing island of the Township that would be created by the annexation of the petitioned area.

#### CONCLUSIONS OF LAW

1. The Findings of Fact in this docket support the majority decision of the Boundary Commission to adopt the Summary of Proceedings, Findings of Fact and Conclusion of Law, and to recommend that the Director of the Department of Labor & Economic Growth sign the attached Order to approve the subject annexation.

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Kenneth VerBurg, Chairman

November 15, 2007

**STATE OF MICHIGAN**  
**DEPARTMENT OF LABOR & ECONOMIC GROWTH**  
**STATE BOUNDARY COMMISSION**

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**In the matter of:**

**Boundary Commission**  
**Docket # 06-AP-2**

**The proposed annexation of territory  
in Elba Township to the City of Lapeer,  
Lapeer County.**

---

**ORDER**

**IT IS ORDERED THAT** the territory described in Attachment B in Elba Township, Lapeer County, be annexed to the City of Lapeer.

**IT IS ORDERED THAT** the Summary of Proceedings, Findings of Fact and Conclusions of Law, and Order approving the annexation of territory in Elba Township to the City of Lapeer, described in Attachment B, shall be effective on the date signed below by the Director of the Department of Labor & Economic Growth.

**IT IS FURTHER ORDERED THAT** in compliance with MCL 117.9(4), the State Boundary Commission shall transmit a copy of this Order and the attached Summary of Proceedings, Findings of Fact and Conclusions of Law to the clerks of the City of Lapeer, the Township of Elba, and the County of Lapeer, and to the Secretary of State.

**IT IS FURTHER ORDERED THAT** in compliance with MCL 117.9(12), the State Boundary Commission shall also transmit a copy of this Order and the attached Summary of Proceedings, Findings of Fact and Conclusions of Law to the property owners located in the area proposed for annexation, and also to each property owner located within 300 feet of the area proposed for annexation.

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Keith W. Cooley, Director  
Michigan Department of Labor & Economic Growth

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Date

# Attachment A

Part of the Southwest  $\frac{1}{4}$  of Section 1, T7N-R9E, Elba Township, Lapeer County, Michigan, described as beginning at a point on the West line of Section 1 that is North  $00^{\circ} 54' 40''$  East 528.0 feet from the Southwest corner of Section 1; thence North  $89^{\circ} 49' 40''$  East 178.0 feet; thence North  $83^{\circ} 01' 29''$  East 264.0 feet; thence North  $61^{\circ} 28' 54''$  East 100.0 feet; thence South  $28^{\circ} 31' 06''$  East 150.0 feet to the centerline of Davison Road (M-21); thence North  $61^{\circ} 28' 54''$  East 556.65 feet along said centerline; thence North  $28^{\circ} 31' 06''$  West 232.58 feet along the West line of "Smith Acres," as recorded in Liber 1, Page 59 of Lapeer County Plat Records; thence North  $61^{\circ} 28' 54''$  East 398.07 feet along the North line of said plat to the Northeast corner of said plat; thence North  $01^{\circ} 08' 52''$  East 1534.75 feet along an existing fence; thence South  $88^{\circ} 56' 43''$  West 1323.37 feet along the existing East-West  $\frac{1}{4}$  line fence to the West  $\frac{1}{4}$  corner of Section 1; thence along the West section line as occupied South  $00^{\circ} 59' 25''$  West 1640.27 feet; thence South  $00^{\circ} 47' 18''$  West 467.02 feet to the Southeast corner of Lot 9 of "Sterling Gardens No. 1," as recorded in Liber 2, Page 17 of Lapeer County Plat Records; thence South  $00^{\circ} 54' 40''$  West 11.80 feet to the point of beginning. Contains 60.168 acres including that part reserved for Davison Road so-called.



JENNIFER M. GRANHOLM  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LABOR & ECONOMIC GROWTH  
LANSING

KEITH W. COOLEY  
DIRECTOR

#06-AP-2  
Page 7 of 7

## Attachment B

All of the following land in T7N, R9E, Elba Township, Lapeer County, Michigan described as:

Part of the northeast 1/4, southeast 1/4 and southwest 1/4 of section 1 described as: commencing at the southwest corner of said section 1; thence northerly along the west line of said section, 528.00 feet to the point of beginning; thence continuing northerly along said west line, 2119.09 feet to the west 1/4 corner of said section and the City of Lapeer limits as filed on July 28, 1967 with the Secretary of State; thence along the City of Lapeer limits the following thirteen calls: (1) N89°00'30"E along the east-west 1/4 line, 1321.81 feet; (2) S01°03'00"W, 1733.13 feet; (3) N61°28'30"E, 1516.87 feet; (4) N00°52'00"E along the west line of Essex Subdivision recorded in Liber 1 of Plats, Page 58, 275.46 feet; (5) N61°29'00"E along the northwesterly line of said plat, 1839.12 feet; (6) S89°18'00"E along the north line of said plat, 119.06 feet; (7) S01°07'00"W along the east line of said plat and the west line of Essex Subdivision No.1 recorded in Liber 1 of Plats, Page 63, 55.88 feet; (8) S89°57'50"E along the north line of Essex Subdivision No.1 and the east-west 1/4 line, 116.00 feet; (9) N01°07'00"E, 606.83 feet; (10) N89°23'00"E, 552.15 feet; (11) N01°02'00"E, 1018.06 feet; (12) N89°31'30"E, 243.69 feet to the east line of said section and a point S01°07'00"W, 740.82 feet from the northeast corner of said section; (13) southerly along said east line to its intersection with the centerline of the Davison/Genesee Road (abandoned highway M-21); thence southwesterly along said centerline to a point that is N89°49'40"E, 178.00 feet, N83°01'29"E, 264.00 feet, N61°28'54"E, 100.00 feet and S28°31'06"E, 150.00 feet from the point of beginning; thence N28°31'06"W, 150.00 feet; thence S61°28'54"W, 100.00 feet; thence S83°01'29"W, 264.00 feet; thence S89°49'40"W, 178.00 feet to the point of beginning.

The land described above includes the following subdivisions:

Essex Subdivision, lots 1-24

Essex Subdivision No.1, lots 25-33

Oak Acres, lots 1-16

Smith Acres, lots 1-4

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